

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL No. 1456
Master File No. 1:01-CV-12257-PBS
Sub-Category Case No. 1:08-CV-11200

THIS DOCUMENT RELATES TO:
*United States ex rel. Linnette Sun and Greg
Hamilton, Relators*
v.
*Baxter Hemoglobin Therapeutics and Baxter
International Inc.*

Judge Patti B. Saris

**BAXTER INTERNATIONAL INC.'S REQUEST
FOR EXTENSION OF TIME TO FILE ANSWER**

Relators Linnette Sun and Greg Hamilton ("Relators") filed a Complaint in the District of Colorado on April 22, 2005; and an amended Complaint on June 14, 2005. This Complaint was unsealed on January 15, 2008 and the matter transferred to MDL 1456 by the Judicial Panel for Multidistrict Litigation on July 14, 2008. Baxter International Inc. ("Baxter") moved to dismiss the Relators' amended Complaint. Oral argument was heard by this Court on that motion on February 9, 2010, and a decision was rendered on March 25, 2010.

Under Fed. R. Civ. P. 12(a)(4) Baxter's Answer to the Amended Complaint is due April 9, 2010. However, counsel for Baxter, respectfully requests a 10-day extension of time to April 19, 2010 for filing its answer. Counsel for Relators have been consulted regarding this request and do not object to this extension.

Respectfully submitted,

<p>Dated: April 8, 2010</p>	<p><u>/s/ Tina D. Reynolds</u> Merle M. DeLancey Tina D. Reynolds Ruchi Jain <i>Admitted pro hac</i> DICKSTEIN SHAPIRO LLP 1825 Eye Street NW Washington, DC 20006 Telephone: (202) 420-2200 Facsimile: (202) 420-2201</p> <p><u>/s/ Peter E. Gelhaar</u> Peter E. Gelhaar (BBO #188310) DONNELLY, CONROY & GELHAAR, LLP One Beacon Street, 33rd Floor Boston, MA 02108 Telephone: (617) 720-2880 Facsimile: (617) 720-3554</p> <p>Counsel for Defendant Baxter International Inc.</p>
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CERTIFICATE OF SERVICE

I hereby certify that I, Tina D. Reynolds, an attorney, caused a true and correct copy of the foregoing **BAXTER INTERNATIONAL INC.'S REQUEST FOR EXTENSION OF TIME TO FILE ANSWER** to be delivered to all counsel of record by electronic service via LexisNexis File & Serve, on April 8, 2010, for posting and notification to all parties.

/s/ Tina D. Reynolds
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